UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Holding a Criminal Term

Grand Jury Sworn in on March 16, 2023

UNITED STATES OF AMERICA : CRIMINAL NO. 21-CR-626

v. : VIOLATIONS:

: 18 U.S.C. §§ 1512(c)(2),

DEREK COOPER GUNBY, : (Obstruction of an Official Proceeding)

: 18 U.S.C. § 1752(a)(1)

Defendant. : (Entering and Remaining in a Restricted

Building or Grounds)18 U.S.C. § 1752(a)(2)

: (Disorderly and Disruptive Conduct in a

: Restricted Building or Grounds)

40 U.S.C. § 5104(e)(2)(D)
(Disorderly Conduct in
a Capitol Building)
40 U.S.C. § 5104(e)(2)(G)

: (Parading, Demonstrating, or Picketing in

: a Capitol Building)

INDICTMENT

The Grand Jury charges that:

COUNT ONE

On or about January 6, 2021, within the District of Columbia and elsewhere, **DEREK COOPER GUNBY** attempted to, and did, corruptly obstruct, influence, and impede an official proceeding, that is, a proceeding before Congress, specifically, Congress's certification of the Electoral College vote as set out in the Twelfth Amendment of the Constitution of the United States and 3 U.S.C. §§ 15-18.

(Obstruction of an Official Proceeding and Aiding and Abetting, in violation of Title 18, United States Code, Sections 1512(c)(2) and 2)

Case 1:21-cr-00626-PLF Doctiffle 18/59 Filed 08/30/23 Page 2 of 3

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA Holding a Criminal Term Grand Jury Sworn in on March 16, 2023 UNITED STATES OF AMERICA V. DEREK COOPER GUNBY, Defendant. The Grand Jury charges that:: CRIMINAL NO. 21-CR-626: VIOLATIONS: 18 U.S.C. §§ 1512(c)(2), (Obstruction of an Official Proceeding) 18 U.S.C. § 1752(a)(1):::::(Dith) Tatok Onaining in a Restricted: Building or Grounds): 18 U.S.C. § 1752(a)(2)::::::: (Disorderly and Disruptive Conduct in a Restricted Building or Grounds) 40 U.S.C. § 5104(e)(2)(D) (Disorderly Conduct in a Capitol Building) 40 U.S.C. \$ 5104(e)(2)(G) (Parading, Pemenstrating by Picketh Building) 100 Picketh Building) 100 Picketh Building 100 P Columbia and elsewhere, DEREK COOPER GUNBY attempted to, and did, corruptly obstruct, influence, and di impede an official repranding maries presenting per la la presenting de la constitution of the United States and 3 U.S.C. §§ 15-18. (Obstruction of an Official Proceeding and Aiding and Abetting, in violation of Title 18, United States of Cand atterwise restricted area within the Linited States of the Vice DEREK COOPER GUNBY did knowingly enter and remain in a restricted building and grounds, that is, any Prosted cordoned off, and otherwise restricted area within the United States Capital and its grounds, where the Vice President was and would be temporarily visiting, without lawful authority to do so. (Entering and Remaining in a Restricted Building or Grounds, in violation of Title 18, United States Code, Section 1752(a)(1)) COUNT THREEEntering and Remaining in a Restricted Building or Chorus sunsviolation of Titled 8, with intentite in sede and discuss the order of the conduction of Government business and official functions, engage in disorderly and disruptive conduct in and within such proximity to, a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President was and would be temporarily Could Vice President was an advanced with the could vice President was a support of the Coul disrupt the orderly conduct of Government business and official functions. (Disorderly and Disruptive Conduct in a Restricted Building or Grounds, in violation of Title 18, United States Code, Section 1752(e) 20 FOHNT FOURY On or about January 6, 2021, in the District of Columbia, DEREK COOPER GUNBY Willfully and knowingly engaged in disorderly and disruptive conduct within the United States Capitol Grounds and in any of the Capitol diction wingly than devith instent to impredestablished the varietly conductive conduction. House of Congress, and the orderly conduct in that building of a hearing before or any deliberation of, a committee of Congress or either House of Congress. 2 (Disorderly Conduct in a Capital Building, in violation of and the third states of Congress or either House of Congress. 2 (Disorderly Conduct in a Capital Building, in violation of and the third in the provider of Congress or either House of Congress. 2 (Disorderly Conduct in a Capital Building, in violation of and the third in the provider of Congress or either House of Congress. 2 (Disorderly Conduct in a Capital Building, in violation of and the third in the conduct in a Capital Building, in violation of and the third in the conduct in a Capital Building, in violation of and the third in the conduct in a Capital Building, in violation of and the conduct in a Capital Building, in violation of and the conduct in the conduct in a Capital Building in violation of and the conduct in Columbia, DEREK COOPER GUNBY willfully and knowingly paraded, demonstrated, and picketed in any United to, States Griefell Build Inting and in probables that I sorality by the state of Court of Columbia. A TRUE BILL: FOREPERSON. 3 area within the United States Capitol and its grounds, where the Vice President was and would be temporarily visiting, when and so that such conduct did in fact impede and disrupt the orderly conduct of Government business and official functions.

(Disorderly and Disruptive Conduct in a Restricted Building or Grounds, in violation of Title 18, United States Code, Section 1752(a)(2))

COUNT FOUR

On or about January 6, 2021, in the District of Columbia, **DEREK COOPER GUNBY** willfully and knowingly engaged in disorderly and disruptive conduct within the United States Capitol Grounds and in any of the Capitol Buildings with the intent to impede, disrupt, and disturb the orderly conduct of a session of Congress and either House of Congress, and the orderly conduct in that building of a hearing before or any deliberation of, a committee of Congress or either House of Congress.

(Disorderly Conduct in a Capitol Building, in violation of Title 40, United States Code, Section 5104(e)(2)(D))

COUNT FIVE

On or about January 6, 2021, in the District of Columbia, **DEREK COOPER GUNBY** willfully and knowingly paraded, demonstrated, and picketed in any United States Capitol Building.

(Parading, Demonstrating, or Picketing in a Capitol Building, in violation of Title 40, United States Code, Section 5104(e)(2)(G))

A TRUE BILL:

FOREPERSON.

Attorney of the United States in and for the District of Columbia.